

REMARKS

Claims 1 to 19 are pending in this application. Claims 1 - 4 are amended herein. New claims 16 to 19 are added.

The Claim Objections

Claims 1, 2 and 4 are objected to because of informalities identified at page 2 of the Office Action. It is respectfully submitted that these informalities are corrected by the amendments herein. Reconsideration and withdrawal of the objections are respectfully requested.

The Rejection under Prior Art

Claims 1,2, 4-6, 8, 10, 12 and 14 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,762,412 to Kim. Kim disclosed a panel opening and closing apparatus. Claim 1 is amended to recite, *inter alia*, "means for damping the closing movement".

In the Office Action, the Examiner cites Fig. 1 of Kim as a basis for supporting the rejection. However, the device shown in Fig. 1 operates in a completely different manner than what is recited in Claim 1. Applicant's claim 1 recites that the lever or plunger is arranged to be pivoted or slid to its closing region by the movable furniture part (1). In contrast to this, with regard to the device of Fig. 1, Kim states the following at column 1, lines 58 to 62:

However, the conventional panel opening and closing apparatus for the audio as described above is complicated due to its construction having a motor and several speed reduction gears in order to provide a driving force for opening and closing the panel.

It is clear that the device of Fig. 1 responds to the motor (60), not the panel assembly (20), which is opposite to the operation of the claimed damping device. The device of Fig. 1 of Kim is a panel opening/closure apparatus, not a damping device as Applicant's claim 1 recites.

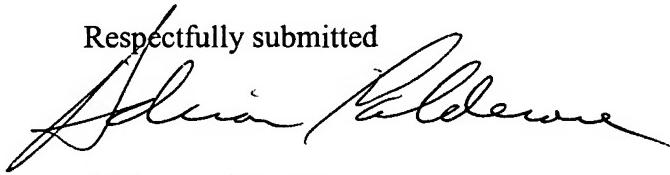
Kim does not disclose or suggest a damper for damping the closing movement of a movable furniture part. Accordingly, Claim 1 and all claims depending therefrom are submitted to be allowable over the art of record. Reconsideration and withdrawal of the rejection are respectfully requested.

The New Claims

New claims 16 to 19 are added herein. Claims 16 and 18 are independent. Claims 17 and 19 depend from claims 16 and 18, respectively. The new claims are submitted to be allowable over the cited prior art.

For at least the reasons stated above all of the pending claims are submitted to be in condition for allowance, the same being respectfully requested.

Respectfully submitted



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